

**THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>MARY ANN BAUER,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case no. 3:18-CV-01293</b>
	)	
<b>MICHAEL S. FITZHUGH,</b>	)	<b>Judge Eli J. Richardson</b>
<b>BERNARD SALANDY, and</b>	)	
<b>RUTHERFORD COUNTY, TENNESSEE,</b>	)	<b>Barbara D. Holmes, Magistrate Judge</b>
	)	
<b>Defendants.</b>	)	<b>Jury Demand</b>

**DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT**

Come Defendants Bernard Salandy and Rutherford County, Tennessee, by and through counsel, pursuant to Fed. R. Civ. P. 56, and move this court to grant each of them summary judgment and enter a final judgment in their favor. In support of their respective motions, Defendants state as follows:

Bernard Salandy is entitled to qualified immunity from suit under 42 U.S.C. § 1983 because there was no violation of Mr. Bauer's constitutional rights and, regardless, Mr. Salandy was not personally involved in the events leading to Mr. Bauer's suicide or the setting of Mr. Bauer's bail amount. Rutherford County, Tennessee, cannot be liable to Plaintiff pursuant to 42 U.S.C. § 1983 because there was no practice, policy, or custom of the county that resulted in a violation of any of Mr. Bauer's constitutional rights.

Defendants incorporate herein by reference their memorandum of law, their statement of material facts, and all supporting documents to establish grounds for their

respective motions. As additional support for their motions, Defendants rely upon the following exhibits attached hereto:

**Exhibit 1 - Deposition of Jeff Truong (excerpt and partial exhibits)**

**Exhibit 2 - Deposition of Brandi Dover (excerpt and partial exhibits)**

**Exhibit 3 - Deposition of Michael Fitzhugh (excerpt)**

**Exhibit 4 - Deposition of Edna Parker (excerpt and partial exhibits)**

**Exhibit 5 - Deposition of Brad Morris (excerpt and partial exhibits)**

**Exhibit 6 - Deposition of Lisa Speck (excerpt and partial exhibits)**

**Exhibit 7 - Deposition of Emily Alexander (excerpt and partial exhibits)**

**Exhibit 8 - Deposition of John Daniel Rudd M.D. (excerpt and partial exhibits)**

**Exhibit 9 - Unsworn Declaration of Michael Fitzhugh**

**Exhibit 10 - Rutherford County's Responses to Plaintiff's Interrogatories and Requests for Production and partial exhibits**

**Exhibit 11 - Unsworn Declaration of Bernard Salandy**

Based on the foregoing, Defendants respectfully submit that summary judgment should be rendered forthwith to both of them because the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving parties are entitled to a judgment as a matter of law.

Respectfully submitted,

**HUDSON, REED & CHRISTIANSEN, PLLC**

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Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Defendants' Motions for Summary Judgment has been forwarded by electronic means via the court's electronic filing system to:

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on this the 19<sup>th</sup> day of November, 2020.

**By:** s/D. Randall Mantooth  
D. Randall Mantooth